

# Memorandum



(Second Reading 11-30-04)

**Date:** September 21, 2004

Agenda Item No. 6(L)

**To:** Honorable Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** Ordinance Granting Enterprise Zone Ad Valorem Tax Exemption  
Under Ordinance 96-74 for Trujillo Brothers of Miami-Dade, Corp.  
(Trujillo and Sons)

## RECOMMENDATION

It is recommended that pursuant to the provisions of Section 196.1995, Florida Statutes, and Miami-Dade County Ordinance 96-74 that the Board approve an ordinance granting Enterprise Zone Ad Valorem Tax Exemption to Trujillo Brothers of Miami-Dade, Corp. (Trujillo and Sons) hereinafter referred to as "Business." The total amount of tax exemption beginning in fiscal year 2002 from real estate is \$7,672.17 and \$1,157.51 for tangible personal property, for a total of \$8,829.67. Approximately \$1,805,560 in private funds has been invested in the Enterprise Zone and, as a result, 62 new full-time jobs have been created by this business, of which 14 of them are residents of the Enterprise Zone.

## BACKGROUND

On April 19, 1988, the Board enacted Ordinance No. 88-27, which authorized Enterprise Zone Ad Valorem Tax Exemption for new or expanding businesses, which invest in these zones. On May 21, 1996, the aforementioned ordinance was revised and enacted as Ordinance No. 96-74.

The Business has filed an application for Enterprise Zone Ad Valorem Tax Exemption for improvements made to its real properties and for acquisition of tangible personal property. The Property Appraiser reviewed the application and inspected the property to arrive at determinations of the appropriate exemption.

To be eligible for this exemption, a new or expanded business shall create a minimum of five (5) new full-time jobs. If, on a given year of the 5 year exemption, 20% or more of a business' permanent full-time employees are residents of the Enterprise Zone, the exemption for that year will be 100 % of the assessed value of all improvements to real property, or 100 % of the assessed value of all tangible personal property. In case the company cannot comply with the 20% residency requirement of their employees living in the Enterprise Zone, then the exemption for that year will be 50% of the assessed value.

Once the Board has granted approval, Miami-Dade's Office of Community and Economic Development (OCED) will monitor the firm's compliance during the life of the tax exemption.

Florida State incentives available in the Enterprise Zone include jobs tax credit, property tax credit, community contribution tax credit, sales tax exemption on building materials and sales tax exemption on business equipment. The Business has indicated that the availability of these incentives was a contributing factor in its decision to locate in the Enterprise Zone.

Detailed information regarding the Business is provided below. The tax exemption is based on the estimated countywide and unincorporated municipal service area millage rate of 5.889 for fiscal year 2002, which is the year the Business became eligible for the tax abatement.

**(Trujillo Brothers of Miami-Dade, Corp (Trujillo and Sons))**

Address:	1100 NW 23 <sup>rd</sup> Street, Miami, Florida 33127	
Community Redevelopment Area (CRA):	No	
Product:	Wholesale Food Distributor	
Contact Person:	Alberto Trujillo, (305) 633-6482	
Employment:	62 New Jobs	
Basis for Application:	Improvement to Real Estate and Acquisition of Tangible Personal Property	
Total New Investment:	\$1,805,000 Approximately	
Exemption Eligibility:	\$1,302,796	(real property)
	\$ 196,554	(tangible personal property)
Estimated County	\$ 7,672.17	(real property)
Tax Exemption Per Year:	\$ 1,157.50	(tangible personal property)
<b>Total:</b>	<b>\$ 8,829.67</b>	
Period:	5 Years	

**ECONOMIC IMPACT ANALYSIS**

The economic impact of the ordinance is summarized in the Economic Impact Analysis Chart on page 3. If the full exemption is granted, the impact on the County budget would be to reduce revenues by \$8,829.67 for fiscal year 2002, based on estimated 2002 millages. The portion, which applies to improvements to real property, totaling \$7,672.17 in fiscal year 2002, remains relatively constant for the duration of the exemption period. The portion, which applies to tangible personal property, totaling \$1,157.50 declines annually as the property is depreciated. Please see attached revenue implication statement prepared by the Property Appraiser's Office for this project.

The impact of the exemption on the private sector is to reduce the applicant's operating costs by these amounts, which is intended as an incentive to invest and create jobs in the most distressed areas of Miami-Dade County. The Business created 62 new jobs, which include a total of 14 jobs

for residents of the Enterprise Zone. Exemption recipients are monitored annually for compliance with maintaining five (5) new full-time job requirements. Businesses found not to be in compliance with maintaining five (5) new full-time employees will lose their tax exemption.

The initial cost of processing the application is offset by a \$50 application fee, plus 10% of the first year's exemption. The public benefits of this project is the investment and job creation in Miami-Dade County's distressed areas. The additional payroll and economic activity generates other taxable activity. In addition, once the exemption period ends, the County will receive the increased taxes from the expanded business.

**ECONOMIC IMPACT ANALYSIS CHART**

<b>Company</b>	<b>Exemption</b>	<b>Term</b>	<b>Projected Total Jobs</b>	<b>Projected E.Z. Jobs</b>	<b>Projected New Jobs</b>	<b>Total New Investment</b>
Trujillo Brothers of Miami-Dade, Corp. (Trujillo and Sons)	\$8,829.67	5 Yrs.	62	14 (23%)	62	\$1,805,000
<b>TOTAL</b>	<b>\$8,829.67</b>	<b>5 Yrs.</b>	<b>62</b>	<b>14</b>	<b>62</b>	<b>\$1,805,000</b>

Attachment

  
Assistant County Manager



# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** November 30, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 6(L)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 6(L)

11-30-04

ORDINANCE NO. \_\_\_\_\_

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO TRUJILLO BROTHERS OF MIAMI-DADE, CORP. (TRUJILLO AND SONS) A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE

WHEREAS, this Board recognizes the need to stimulate economic development in certain areas of Dade County which are economically depressed, where housing and structural conditions are blighted and deteriorated, and where unemployment and poverty are prevalent, said areas being designated "Enterprise Zones" as defined in Section 196.012 and Section 290.004, Florida Statutes; and

WHEREAS, pursuant to Article VII, Section 3 of the Florida Constitution, the State has enacted Section 196.1995, Florida Statutes, providing a local government option for ad valorem tax exemption to new businesses and expansions of existing businesses in each such Enterprise Zone; and

WHEREAS, this Board authorized Enterprise Zone Ad Valorem Tax Exemptions to new businesses and for the expansion of existing businesses located in the Enterprise Zone through Ordinance No. 96-74, enacted on May 21, 1996; and

WHEREAS, this Board desires to encourage economic growth and development and alleviate the conditions of unemployment, economic disinvestments and poverty by creating new construction, new jobs, and an enhanced business climate particularly for small or minority owned businesses; and

WHEREAS, Trujillo Brothers of Miami-Dade, Corp. (Trujillo and Sons), hereinafter referred to as "Business", located at 1100 NW 23<sup>rd</sup> Street, Miami, Florida 33127, within Enterprise Zone No. 1301 has made application for ad valorem tax exemptions; and

WHEREAS, the Business has committed to this Board that it will maintain a work force of at least five (5) employees of whom at least twenty percent (20%) must be residents of the Enterprise Zone; and

WHEREAS, this Board finds that the Business has tax bills which are current; and

WHEREAS, this Board finds that ad valorem tax exemption is appropriate and consistent with the public purpose to eliminate the serious and distressing economic conditions of the designated "Enterprise Zone" in Miami-Dade County,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Legislative Intent and Findings of Public Purpose. The above recitations of legislative intent and findings of public purpose are fully incorporated herein as part of this ordinance.

Section 2. Eligibility Requirements. This Board finds the Business is a “new business” as defined in Section 196.012(15) (b) Florida Statutes (1991) and as defined in Miami-Dade County Ordinance No. 96-74 and after careful consideration of certain factors including those enumerated in Section 29-84(d) of the Dade County Code finds and determines the Business is eligible for ad valorem tax exemption.

Section 3. Granting the Exemption. This Board hereby grants ad valorem tax exemptions pursuant to Ordinance No. 96-74, enacted on May 21, 1996, to Trujillo Brothers of Miami-Dade, Corp. (Trujillo and Sons), located at 1100 NW 23<sup>rd</sup> Street, Miami, Florida 33127, a “new business”. The exemption shall be up to 100% of the eligible assessed value of the improvements to real property and the eligible tangible personal property, if the company complies with the 20% residency requirement of their employees living in the Enterprise Zone. If the company cannot comply with the 20% residency requirement of their employees living in the Enterprise Zone, then the exemption, for that year, will be 50% of the eligible assessed value of the improvements to real property and the eligible tangible personal property acquired and owned by the Business and located at 1100 NW 23<sup>rd</sup> Street, Miami, Florida 33127.

Section 4. Revenue Implications. The total amount of revenue available to the County from ad valorem tax sources for the 2002 fiscal year is \$886 million. The total amount of revenue foregone by the County for the 2002 fiscal year by virtue of Enterprise Zone Ad Valorem Tax Exemptions is \$1,000,238. The revenue foregone by the County attributable to the exemption of the Business named in the ordinance is estimated at \$7,672.17 for real property and \$1,157.50 for tangible personal property, based on the assessment by the Property Appraiser of Miami-Dade County.

Section 5. Duration and Expiration of the Tax Exemption. The duration of the Enterprise Zone Ad Valorem Tax Exemption granted to the Business is five (5) years. The tax exemption granted in this ordinance shall expire after the 2006 tax assessment rolls of Miami-Dade County. Notwithstanding the foregoing, the Business must apply for a renewal of the exemption each year for which the exemption is sought. Failure to file a renewal application with the Property Appraiser by March 1, of each year shall constitute a waiver of the exemption for the year.

Section 6. Scope of Exemptions. The property tax exemption authorized through this ordinance shall be up to 100% of the eligible assessed value of the improvements to real property and the eligible tangible personal property, if the company complies with the 20% residency requirement of their employees living in the Enterprise Zone. If the company cannot comply with the 20% residency requirement of their employees living in the Enterprise Zone, then the exemption, for that year, will be 50% of the eligible assessed value of the improvements to real property and the eligible tangible personal property made by or for the use of the Business. The exemption shall apply only to Miami-Dade County countywide operating millage and, when applicable, the unincorporated municipal service area millage and shall not apply to taxes levied for payment of bonds or to taxes authorized by vote of the electors pursuant to Section 9(b) of Section 12, Article VII of the State Constitution. The exemption shall not be prolonged or extended by granting exemption from additional taxes or by virtue of any reorganization or sale of the Business receiving the exemption.



Section 7. Penalties. Non-compliance during the life of the tax exemptions unless expressly waived by the Board, with any of the eligibility requirements of Section 29-87 of the Miami-Dade County Code will nullify the tax exemption benefits granted through this ordinance and the Business shall be required to make payments of taxes exempted in addition to interest accrued from the date of non-compliance.

Section 8. Fee. The Business named in the ordinance will pay a \$50 application fee and a fee of 10% of the first year tax exemption to cover administrative expenses of Miami-Dade County in processing the application for tax exemption. The fee is non-refundable even if Dade County rescinds the tax exemptions due to non-compliance with eligibility requirements.

Section 9. Renewal Provisions. Enterprise Zone Ad Valorem Tax Exemptions granted through this ordinance can be renewed each year for the duration of the term of the exemption as indicated in Section 5 of this ordinance; however, the Business must re-apply to maintain the exemptions on or before March 1 of each year for which the renewal is sought. Failure to file a renewal application with the Property Appraiser by March 1 of any year shall constitute a waiver of the exemption for that year.

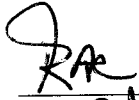

Section 10. Severability. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 11. Effective Date. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 12. Sunset. This ordinance shall stand repealed five (5) years from its effective date.

PASSED AND ADOPTED:

Approved by County Attorney as  
To form and legal sufficiency.

Prepared by:

Shannon D. Summerset

**Enterprise Zone Abatement  
Property Tax Assessments/Revenue Implications**

**Business Name:** Trujillo Brothers of Miami Dade  
**Address:** 1100 N W 23 Street Miami, Fl. 33127  
**Folio #:** 01-3126-052-0470 P.P. 40-128077

Estimate- 2002

**1. Assessed Value of Improvements/Additions to:**

(a) Real Property	<u>\$1,302,796</u>
(b) Tangible Personal Property	<u>\$235,000</u>

**2. Total Taxes Levied on Improvements and Additions to:**

(a) Real Property (excluding land) (Based on 2002 millages)	<u>\$34,941.64</u>
(I) County Operating	\$7,672.17
(ii) Unincorporated Municipal Service Area	\$0.00
(iii) Debt Service	\$508.09
(v) All other property taxes	\$26,761.38
(b) Tangible Personal Property (Based on 2002 millages)	<u>\$6,302.82</u>
(I) County Operating	\$1,383.92
(ii) Unincorporated Municipal Service Area	\$0.00
(iii) Debt Service	\$91.65
(v) All other property taxes	\$4,827.25

**Revenue Implications :**

3. Total property tax revenue for the current tax year from ad valorem taxes:	<u>\$886 Million</u>
4 Total revenue forgone for the current fiscal year by virtue of exemptions previously granted under this section:	<u>\$1,000,238</u>
5. Total revenue forgone for the current fiscal year if exemption applied for is granted:	<u>\$8,829.67</u>
R.E. : <u>\$7,672.17</u> P.P. : <u>\$1,157.51</u>	
6. Taxable value forgone if the exemption applied for were granted on:	<u>\$196,554</u>
(a) Improvement to Real Property	<u>\$1,302,796</u>
(b) Tangible personal Property	<u>\$196,554</u>
7. Last year for which exemption may be applied for 2006.	

Date:

4/22/04

Signed:

Karen A. Robbins  
Property Appraiser

PTARI FORM

**TRUJILLO & SONS, INC.**

Pernas	Mercedes	2901 W. 16 AVE #24 HIALEAH, FL 33012		
Rodriguez	Hilario	1470 W. 41ST HIALEAH, FL 33012		
Sanfeliz	Leslie C.	12841 SW 43 DR APT#151A MIAMI, FL 33175		
Trujillo	Maria A.	6845 SUNRISE TERR CORAL, GABLES FL 33133		
Trujillo	Jennifer-V.	5671 SW 99 AVE MIAMI, FL 33173		
Castro	Maria	56 SULFOLK AVE. HIALEAH, FL 33010		
Renaud	Nadia P.	148 NE 117 ST ST MIAMI, FL 33161		
Trujillo	Ileana M.	7201 SW. 60ST MIAMI, FL 33143		
Trujillo	Lucas III	1900 SUNSET HARBOUR DR. MIAMI, BEACH FL 33129		
Xavier	Lorieta	550 NE 76 ST MIAMI, FL 33136		
Trujillo	Lucas	260 S. COCONUT LANE MIAMI BEACH, FL 33139		
		TRUJILLO OIL, PLANT, INC.		
Arguello	Marlone R.	12040 SW 210ST MIAMI FL 33177		
Callejas	Jorge C.	8252 NW 6 TERR APT#244 MIAMI FL 33126		
Delgado	Jorge	12043 SW 210ST MIAMI FL 33177		
Gonzales	Ismael	541 E. 47ST HIALEAH, FL 33013		
Gonzales	Juan A.	6750 HOOD ST HOLLYWOOD FL 33024		
Perez	Alberto	5665 W. 20 AVE HIALEAH FL 33012		
Perez	Leonardo	5700 NW 18 ST HIALEAH FL 33012		
Sandoval	Lester	1352 NW 32 ST MIAMI FL 33142		
Sineriz	Jorge L.	10753 NW 67ST HIALEH GARDENS FL 33018		

<b>TOTAL EMPLOYEES</b>	<b>62</b>
<b>ENTERPRISE ZONE EMPLOYEES</b>	<b>14</b>
<b>PERCENT ENTERPRISE ZONE EMPLOYEES</b>	<b>23%</b>

TRUJILLO & SONS, INC.

Cruz	Tulio R.	2926 NW 11ST MIAMI,FL 33127		
Cruz	Yiny A.	305 NW 124 ST MIAMI FL 33168		
Figueroa	Jose E.	781 NW 30ST MIAMI,FL 33127		
Garcia	Orlando	1390 W 30 ST HIALEAH,FL 33012		
Hernandez	Joselito	1930 NW 18 ST MIAMI,FL 33125		
Hernandez	Jose A.	2822 NW 33 ST MIAMI,FL 33142		
Hernandez	Mario L.	9501 W.FLAGLER ST #H804E MIAMI,FL 33174		
Martinez	Miguel A.	2411 NW 13 AVE MIAMI,FL 33142		
Sanchez	Miguel R.	385 NW 124 ST MIAMI,FL 33168		
Diaz	Wilmer J.	2926 NW 11 ST MIAMI,FL 33127		
Alvarenga	Jose G.	812 SW 1 ST APT#2 MIAMI,FL 33130		
Avila	Adrian B.	275 E. 17 ST HIALEH, FL 33010		
Bastida	Jose L.	457 N.E 24 ST MIAMI,FL 33137		
Gonzalez	Jorge M.	2351 NW 24 AVE MIAMI,FL 33142		
Perez	Manuel I.	193 NW 17 AVE MIAMI,FL 33125		
Sena	Hector R.	12825 W. RANDALL DRIVE MIAMI.FL 33167		
Trana	Francisco	753 NW 3 ST MIAMI,FL 33128		
Vega	Pascual	10210 NW 21 CT MIAMI,FL 33147		
Taveras	Miguel A.	2610 NW 16ST RD # 10 MIAMI FL 33125		
Abreu	Abilio	7199 SW 152 PL. MIAMI,FL 33155		
Barrios	Suley	6845 SUNRISE TERR CORAL GABLES,FL 33133		
Donies	Elsa	99 E. 20ST HIALEAH, FL 33013		
Espinosa	Bibiana M	9043 SW 6 ST MIAMI,FL 33174		

		TRUJILLO & SONS, INC.			
Trujillo	Alberto	5671 SW. 99 AVE MIAMI, FL 33173			
Trujillo	Lucas Jr. -	6845 SUNRISE TERR CORAL, GABLES FL 33133			
Trujillo	Arnaldo	13222 NW 8 TERR MIAMI, FL 33182			
Calderon	Gilberto	6410 SW. 21 ST MIAMI, FL 33155			
Herrera	Alida	3181 SW. 13 ST. APT#105 MIAMI,FL 33145			
James A.	Courtney	15904 SW 106 CT MIAMI,FL 33157			
Norori	Luis A.	261 NW 107 ST MIAMI,FL 33168			
Santos	Pedro	2711 NW 21 AVE MIAMI,FLA 33142			
Arevalo	Ricardo	211 NW 109 AVE APT#510 MIAMI,FL 33172			
Batista	Reinaldo S.	2735 NW 10 AVE MIAMI,FL 33127			
Blanco	Julio C.	10090 NW 80 CT #1156 HIALEAH FL 33016			
Diaz	Florentino A.	4875 SW 13 TERR MIAMI,FL 33134			
Garcia	Armando	1350 SW 122 AVE #307 MIAMI,FL 33184			
Gauna	Wilberto A.	2903 SW 16 TERR MIAMI,FL 33145			
Jimenez	Eddy	2821 SW 118 AVE MIAMI,FL 33175			
Nunez	Jose	735 NW 31 AVE MIAMI,FL 33125			
Perez	Osmani	3430 NW 14 TERR MIAMI,FL 33125			
Norori	Victor M	261 NW 107 ST MIAMI FL 33168			
Machin	Javier L.	838 SW 11 AVE MIAMI,FL 33130			

**Enterprise Zone Abatement  
Property Tax Assessments/Revenue Implications**

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Revenue Implications :

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- 4 Total revenue forgone for the current fiscal year by virtue of exemptions previously granted under this section: \$1,000,238
5. Total revenue forgone for the current fiscal year if exemption applied for is granted: R.E. : \$7,672.17 P.P. : \$1,157.51 \$8,829.67
6. Taxable value forgone if the exemption applied for were granted on:
- |                                  |  |
|----------------------------------|--|
| (a) Improvement to Real Property | <u>\$196,554</u>                       |
| (b) Tangible personal Property   | <u>\$1,302,796</u><br><u>\$196,554</u> |
7. Last year for which exemption may be applied for 2006.

Date:

4/22/04

Signed:

Xavier Robbins  
Property Appraiser

PTARI FORM

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